




must include case number **1:18-cv-278** on all of his documents so that they can be filed in the correct case. This action will be dismissed without prejudice and without further notice if Plaintiff fails to comply with this Order and all applicable rules and procedures.<sup>2</sup>

**IT IS, THEREFORE, ORDERED that:**

1. Plaintiff Martin shall have **ten (10) days** from the date of this Order in which to either pay the \$400 filing fee or file an application to proceed *in forma pauperis* and file an Amended Complaint that complies with all applicable rules and procedures. Failure to do so will probably result of dismissal of this action without prejudice.
2. The Clerk of Court is directed to mail a copy of this Order, an application to proceed *in forma pauperis*, and a blank § 1983 form to Plaintiff Martin.

Signed: September 28, 2018

  
Frank D. Whitney  
Chief United States District Judge



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<sup>2</sup> Although Plaintiff is appearing *pro se*, he is required to comply with all applicable timeliness and procedural requirements, including the Local Rules of the United States District Court for the Western District of North Carolina and the Federal Rules of Civil Procedure. The Amended Complaint must be on a § 1983 form, which the Court will provide, and it must refer to the instant case number so that it is docketed in the correct case. It must contain a “short and plain statement of the claim” showing that Plaintiff is entitled to relief against each of the defendants. Fed. R. Civ. P. 8(a)(2). The Amended Complaint must contain all claims Plaintiff intends to bring in this action, identify all defendants he intends to sue, and clearly set forth the factual allegations against each of them. Plaintiff may not amend his Complaint by merely adding defendants and claims in a piecemeal fashion. The Amended Complaint will supersede all prior pleadings so that any claims or parties omitted from the Amended Complaint will be waived. See Young v. City of Mt. Ranier, 238 F.3d 567 (4<sup>th</sup> Cir. 2001).